

BUDGET & FINANCE COMMITTEE
of the
SUFFOLK COUNTY LEGISLATURE

Minutes

A meeting of the Budget and Finance Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on Thursday, **August 5th, 2004.**

MEMBERS PRESENT:

Legislator Andrew A. Crecca, Chairman

Legislator William J. Lindsay, Vice•Chairman

Legislator Allan Binder

Legislator Daniel P. Losquadro

Legislator Lynne C. Nowick

Legislator David Bishop

ALSO IN ATTENDANCE:

Mea Knapp, Counsel to the Legislature

Ilona Julius, Deputy Clerk

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

(THE MEETING CONVENED AT 1: 08 PM)

CHAIRMAN CRECCA:

If I could just ask all members of the Budget Committee to report to the horseshoe at this time so we can get started. Thank you. And, Tom, just so you know, Counsel said she loves bay scallops, so.

Will everyone please rise for the Pledge of Allegiance. We're going to start the Budget and Finance Committee. And I'd ask Legislator Binder to lead us in the Pledge.

(SALUTATION)**CHAIRMAN CRECCA:**

I'd ask for everyone just to remain standing, please, for a moment. I'd like to observe a moment of silence. A couple •• quite a few weeks ago, I had asked everyone to have a moment of either silent meditation or prayer for a young boy age seven, who lives up the block from me who is suffering from cancer. He died last night. And I just everybody for his family, Mike, Kerry Brown, his siblings, Patrick, Sean and Eric, that you just pray that they have an easy time with the passing of their son.

(MOMENT OF SILENCE)**CHAIRMAN CRECCA:**

Thank you. I understand Legislator Lindsay is on his way. But we will get started first with the public portion. The first speaker I have is Ms. Pannullo from the Suffolk Community Council. Ms. Pannullo, you can either sit at the table or the podium, wherever you're more comfortable. And if you would just make the mike is on. I think •• you've done this before, Judy.

MS. PANNULLO:

Okay. Good morning. Judy Pannullo, Executive Director of the Suffolk Community Council speaking today about IR 1555. This resolution is calling for \$4 million cut to the Islip Health Clinics. And \$4 million, I'm led to believe, roughly represents a 30% percent cut. That's a 30% loss in services, a 30% loss of hours, a 30% loss of access for patients, 30% loss of staff. What does that mean in terms of numbers? They're roughly 67 thousand visits to the Brentwood Health Clinic. And roughly 16,000 visits to the Central Islip one. A loss of 30% of these visits roughly translates to a loss of 25,000 visits. If you average that each patient comes approximately three times a year, you're talking about a loss to 8,000 patients. And what does that translate in terms of care? Pre•natal care. Possibly 200 women would lose access to pre•natal care, which could cause low birth weight and other problems associated with not getting pre•natal care. Public health, testing for tuberculosis •• TB. HIV and counseling and sexually transmitted diseases would be cut by 30%. And in breast cancer, the clinics have a very busy

breast monitoring program with on-site mammograms, which is now in the process of expanding to cover cervical cancers. This would be cut.

And finally, the high cost to the County of Suffolk, if a patient cannot get the care at the clinic, he or she is then forced to go to the hospital, to the emergency room, which costs the County a tremendous amount more money. If the patient has a long-term health problem, such as diabetes or other things, then, they are forced to get their care, again, at the hospital through the emergency room, which costs the County more money.

The Suffolk Community Council thinks that this is just plain wrong. If anything, more funds are needed; not less. Certainly not four million less. I urge each and everyone of you to vote this resolution down. And guaranty that it doesn't come up again. Because this is my understanding that this has been here before.

CHAIRMAN CRECCA:

Yes, Ms. Pannullo, just so you're aware, too, as you know, the Bay Shore Clinic is closed.

MS. PANNULLO:

Yes. It has been.

CHAIRMAN CRECCA:

Yeah. Legislator Alden has always been an advocate for that clinic and that area obviously. It's his district. And there's many people in both his district, Legislator Carpenter's district, who are serviced by that health clinic. And I think his overall concern, and I don't want to speak for him, is that those people are not adequately being served now with the closing of that clinic. So, I just say that just so know. And I understand your concern, you know. We understand. Are there any questions from members of the Committee?

MS. PANNULLO:

Can I ask a question?

CHAIRMAN CRECCA:

Sure.

MS. PANNULLO:

Okay. If the clinic is closed and by cutting more money that would definitely keep it from reopening •• would it not?

CHAIRMAN CRECCA:

Well, I think that •• and again, I don't want to speak for Legislator Alden, but I believe he really does want to see it reopened. So ••

MS. PANNULLO:

So cutting four million won't make it reopen? No.

CHAIRMAN CRECCA:

I think from a budgetary point of view ••

LEG. BISHOP:

Right.

CHAIRMAN CRECCA:

Right.

MS. PANNULLO:

I'm sorry.

CHAIRMAN CRECCA:

It could create a crisis, which would cause a clinic to open there, possibly. Maybe that's his thinking. Again, I don't want to speak for the Legislator, but certainly, we would like to see that area serviced. Again, many Legislators. I don't want to speak for everyone.

MS. PANNULLO:

We all would. At least in the health and human service field we would. Thank you.

CHAIRMAN CRECCA:

So, I would suggest, though, that you contact Legislator Alden. I anticipate today that this resolution will be tabled again, but I would suggest that you contact Legislator Alden.

MS. PANNULLO:

Can you •• just matter of procedure, it's been tabled before. How many times will it come up before it won't be brought up again?

CHAIRMAN CRECCA:

It could be tabled for another year•and•a•half.

MS. PANNULLO:

Oh, okay.

CHAIRMAN CRECCA:

It dies after six months. That's true.

MS. PANNULLO:

After six months, okay.

CHAIRMAN CRECCA:

We can table it for a year•and•a•half. It just won't be on the agenda. It's six months from the time of introduction.

MS. PANNULLO:

All right. Thank you.

CHAIRMAN CRECCA:

The next speaker is Joanne Della Valle from VIBS. And if I could ask •• am I saying it right, Della Valle? You still need to state your name on the record so the reporter gets it down. Thank you.

MS. DELLA VALLE:

Okay. Good afternoon. As stated. My name Joanne Della Valle. And I am the Director of the Sexual Assault Nurse Examiner Program and Community Services for Victims Information Bureau of Suffolk also known as VIBS. I am here to address the same number 1555. The proposed cut to health clinics, VIBS currently receives \$46,512 of that funding. If it is cut by 10% our counseling, educational and preventive services will be severely affected. And I would just like to explain how it would be effected. VIBS provides free counseling, education and advocacy for victims of domestic violence, rape, incest and sexual assault, which are all public health issues. We serve people of all ages with programs for the elderly, children and adolescents. VIBS is the only rape crisis center in Suffolk County. And we coordinate the sexual assault nurse examiner program also known as SANE. At the same centers and in our

counseling program, we see hundreds of children adolescents and adults who have been sexually assaulted or raped on a monthly basis. And we provide support and counseling for their distraught partners and or families. I don't need to tell everyone here the devastating impact that sexual assault has on victims of any age. Everyone in this room knows someone who has been raped or sexually assaulted. One in three females and one in seven males will be raped or sexually assaulted in their lifetime. As some of you here today know, VIBS has two SANE centers. One is located at Good Sam Hospital in Islip. And the other one is at Mather over in Port Jeff.

Since we opened our doors in September of 1999 and up until and including last night, we conducted 774 rape kits. Of those kits, if I can just give you the stats, the youngest victim reported was three months old; and the oldest was 74. 31 were males. And the average age of these rape victims was 21. And let me remind that's just too of the 12 hospitals in Suffolk County. And as we all know, this is an under reported crime.

In 2003 VIBS serviced a total of 1,900 rape victims via counseling, advocacy and hotline. We also did preventive educational presentation to an audience of 14,514. We also did 182 rape kits last year. And if you do the math, that's one rape kit every two days. If funding were to be cut, it would affect all of those services and our rent and our administrative costs. All multidisciplinary levels, which would include prevention, education, treatment and punishment would also be affected. So, just imagine the mother of that three-month old calling regarding the sexual abuse of her child and being told there was a waiting list or she could not get crisis intervention. You know, thank you for allowing me to talk here this afternoon.

CHAIRMAN CRECCA:

Are you speaking of 1555, though.

MS. DELLA VALLE:

Yes.

CHAIRMAN CRECCA:

And that directly affects your funding?

MS. DELLA VALLE:

Yes, it does. \$46,000.

CHAIRMAN CRECCA:

Comes from where? The Bay Shore Clinic?

MS. DELLA VALLE:

Actually I don't know exactly what part of it.

CHAIRMAN CRECCA:

Actually the title's been changed. The title is inaccurate from the bill. The title has been changed to reduce •• I don't know the exact title, I apologize, to reduce funding to the Bay Shore Health Clinic.

MS. DELLA VALLE:

So, I didn't really need to come here.

CHAIRMAN CRECCA:

No, probably not. It should not affect the money that VIBS gets. But actually it was good to hear.

MS. DELLA VALLE:

But, you know, I do want to say one thing. At Good Sam and at Mather all rape victims are referred to the health clinics in the County. And, you know, for the rest of their HIV prophylaxis, medication and so and so forth, so it absolutely does effect the Bay Shore Health Clinic.

CHAIRMAN CRECCA:

Thank you.

MS. DELLA VALLE:

Thank you for your time.

CHAIRMAN CRECCA:

Nice tie in there. I like that. Next speaker we have is Rosemarie "Guercia." I would not have said "Guercia." But ••

DR. GUERCIA:

If you wanted to be accurate, it's really Guercia. I think that's a little more difficult.

CHAIRMAN CRECCA:

What is it actually?

DR. GUERCIA:

"Guercia."

CHAIRMAN CRECCA:

"Guercia." That's Italian; correct?

DR. GUERCIA:

Correct.

CHAIRMAN CRECCA:

Were you born here or born in ••

DR. GUERCIA:

It's my marriage name.

CHAIRMAN CRECCA:

Oh, okay. You look like a nice Italian lady, though. I'm Italian.

DR. GUERCIA:

After 55 years of marriage, it was probably contagious.

CHAIRMAN CRECCA:

Absolutely. With that you know have our undivided attention.

DR. GUERCIA:

Good afternoon. My name is Rosemarie Guercia. I'm a physician and a former Deputy Commissioner of Health in Nassau County. I'm now a resident of Huntington and I co•director of the Long Island Health Access Monitoring Project. In 2003 the project released a report entitled Neglected and Invisible understanding the unmet health care needs of people on Long Island. This publication was a result of a health•need survey carried out in 18 sites identified as places to be frequented by low income individuals. The sites included parish outreach centers and other religious organizations, food pantries, WICK and FAN programs. Health clinics and mental health service providers. A total of 500 surveyed •• 501 surveys were collected and questions relating to household members provided information on 784 individuals. 84% of the

respondents were between 18 and 54 years of age. And 46% had annual incomes less than \$15 thousand. More than half were working full•time. Another 26% worked part•time. Half of the adults had no health insurance. A study released just this week reported that nationwide five million more children have been added to government health programs since 2001 when our survey was done. The reason given was that many of the parents had lost their employer sponsored health insurance. This means that those parents became uninsured. And most don't qualify for other government programs. Our figures now appear to be very conservative. The population in our survey is typical of the people that are served by the Suffolk County health centers, which serves as their safety net. By cutting the budget by \$4 million, the holes in the safety net get bigger and bigger forcing the population whose services would be eliminated to do without services, use the emergency room for primary care, which is totally inappropriate and more costly; or to wait until their condition becomes more critical and leads to still more expensive services.

In addition reduced services for infectious diseases such as tuberculosis, HIV and sexually transmitted diseases endanger the population at large. Cutting the health center budget would not only be inhumane and a public health disservice, but ultimately costly to the taxpayer. Thank you.

CHAIRMAN CRECCA:

You could not have timed that better. But I would have let you keep going. Thank you. And our next speaker and final person who filled out yellow card was Richard Koubek from Catholic Charities. Long Island Catholic Charities.

MR. KOUBEK:

I'm sorry, Allan said I mispronounced your name.

MR. KOUBEK:

It's Koubek but I'm half Italian.

CHAIRMAN CRECCA:

It's Koubek.

MR. KOUBEK:

Good afternoon. My name is Richard Koubek. I'm the coordinator of the Public Policy Education Network for Catholic Charities. And like the other speakers I'm here to oppose IR 1555. This

Legislature has a long history of supporting working poor people in our County.

LEG. BISHOP:

I think that •• the bill is not designed to cut off. I think Legislator Alden's just upset that there's no health clinic in Bay Shore.

MR. KOUBEK:

Yeah, we heard that.

LEG. BISHOP:

What?

MR. KOUBEK:

We heard that.

LEG. BISHOP:

What are we doing?

MR. KOUBEK:

I was going to ask you that.

LEG. BISHOP:

I don't know. We didn't file the bill. It doesn't have any support.

CHAIRMAN CRECCA:

We're not sure •• the bill's definitely going to be •• I shouldn't talk for other Legislators but from my conversations with individual legislators here, we are going to table it today. I will speak with Legislator Alden before the next meeting so we can decide how to dispose of this once and for all.

MR. KOUBEK:

See, I have a version of the bill that was sent to me that suggests that it's \$4 million transfer from the health •• the health clinics to the capital budget. And there's no reference to any specific clinic. But there seemed to be other versions of the bill circulating. So, I'm really confused.

CHAIRMAN CRECCA:

It was laid on table 2•24•04. If it doesn't not get passed by the August 22nd meeting or actually by the next committee meeting if it doesn't get out of committee, it will die if •• it will

die a slow painful death.

MR. KOUBEK:

Okay.

CHAIRMAN CRECCA:

Yeah, I'm going to let counsel give you the explanation.

MS. KNAPP:

Just to correct the record, he has •• he has changed the title in order to make it clear. It's amending the adopted 2004 Operating Budget to reduce funding for the closed Bay Shore Health Clinic. However, you are correct, it does take \$4 million out of patient care services and transfer it to the capital fund.

LEG. BISHOP:

People that worked in Bay Shore, where are they working now?

CHAIRMAN CRECCA:

I can't answer that.

LEG. BISHOP:

The physical building was inappropriate; right? That was the problem?

CHAIRMAN CRECCA:

Yes.

MS. KNAPP:

It was a lease issue. And apparently there was some question about the environmental health of the building. The clinic had to be closed. The clinic was one that was done in connection with either South Side or •• or Good Sam, yes, you're correct. And my understanding is that the patients now go to the Brentwood Health Center?

MR. KOUBEK:

A•huh.

MS. KNAPP:

And I believe that ••

MR. KOUBEK:

And Central Islip, too, I think.

MR. KOUBEK:

And Legislator Alden's question was well, if they're not running that health center, then, they should need less money.

LEG. BISHOP:

The bill was filed in February.

CHAIRMAN CRECCA:

February 24th, I believe. When was it filed? Oh, 5•11. I'm sorry. I apologize. I was looking at the wrong slip. So, it was May 11th. So, what I said before about •• it's timeliness.

MR. KOUBEK:

Is he adding money to reopen Bay Shore?

CHAIRMAN CRECCA:

No.

MR. KOUBEK:

He's not.

LEG. BISHOP:

He's moving it to ••

CHAIRMAN CRECCA:

He's moving it to Campo presumably so that we can use the capital fund to fund a health clinic.

MR. KOUBEK:

But where's it coming from? Where is the four million coming from?

CHAIRMAN CRECCA:

Out of the health department's current budget.

MR. KOUBEK:

The health department.

CHAIRMAN CRECCA:

And it comes out of the health department's budget specifically, I would •• for the budget line. I'd have to ask budget, which is patient care services, Islip Health Center. So, it was money specifically targeted for that health center.

LEG. BISHOP:

I think obviously the missing element is that the money •• the people that worked in Bay Shore are still providing health care services. They are providing in a different location; right?

CHAIRMAN CRECCA:

Yeah. I can't answer that question. We'd have to have somebody from the health department to answer that question.

MR. KOUBEK:

It's probably inconvenient to the people of Bay Shore.

CHAIRMAN CRECCA:

It's extremely.

MR. KOUBEK:

That's what our parish people are saying, too. Those folks can't get up there.

CHAIRMAN CRECCA:

I think everyone's in agreement with Legislator Alden. I would suggest those who speak today to at least make a phone call to Legislator Alden.

MR. KOUBEK:

Okay.

CHAIRMAN CRECCA:

And ask him if he •• what he •• what, if anything, is possible in the works to solve the problem.

MR. KOUBEK:

Then, I'm not going to read my speech. Thank you. Except for that part of it which I was going to say that you've had a great record of supporting the working poor. And I was going to thank you and will thank you for the living wage bill and for Sense resolution 53, which you passed five weeks ago opposing Governor Pataki's health and welfare cuts. And it looks now like you're on the same page that we're not going to suffer any health care clinic closings. And maybe an opening. So, keep up the good work. Let's figure this out.

CHAIRMAN CRECCA:

Yeah, Legislator Lindsay.

LEG. LINDSAY:

I'm still as confused as a lot of the speakers. The bill is still taking or assumes to take \$4 million out of the clinic budgets.

CHAIRMAN CRECCA:

Yeah, specifically the Islip Health Center.

LEG. LINDSAY:

Which is going to affect service dramatically in the clinics that we have open. I think we are all •• yeah, it's not going to get any votes. But just that we identify what the issue is. So, we make sure that everybody realizes what they're voting on.

MR. KOUBEK:

Right.

LEG. LINDSAY:

And I think everybody here is sympathetic towards re•opening some kind of center in the Bay Shore vicinity. That's why we put the proposal from South Side Hospital to •• in conjunction with them to build a center on their property back in the Capital Budget. So, you know, I think we're all on the same page, but we just have to know what the page is.

MR. KOUBEK:

Or find it.

LEG. LINDSAY:

Yeah.

MR. KOUBEK:

I appreciate that. Thank you.

CHAIRMAN CRECCA:

Legislator Losquadro. Thanks, Rich.

LEG. LOSQUADRO:

Again, not to speak for Legislator Alden, we're all in agreement on this. But I just wanted to point out the first Whereas Clause, I think, shows Legislator Alden's intent where he says the cost of health clinics has remained the same or increased despite the fact that the Bay Shore Health Clinic has closed. This is obviously in response to that frustration. And he's trying to find a solution, which I'm sure will help him move towards. Thank you.

CHAIRMAN CRECCA:

And I will speak to Mr. Alden before the next meeting. Thank's Rich.

MR. KOUBEK:

Thank you.

CHAIRMAN CRECCA:

That's it for public portion. Was there anyone else who wished to speak? Seeing none, we shall go to the agenda.

CHAIRMAN CRECCA:

First is Introductory Resolution 1200, which is amending the 2004 Operating Budget and the Salary and Classification Plan to establish a Compliance Officer to insure accountability. Is there a motion?

LEG. LINDSAY:

Motion to table.

CHAIRMAN CRECCA:

A motion to table by Legislator Lindsay, seconded by Legislator Bishop. All those in favor? Opposed? **IR 1200 is tabled. (Vote: 6•0)**

IR 1441 •• Ms. Nowick is present, so the Clerk is aware of that •• IR 1441 amending the 2004 Capital Budget and Program and appropriating funds in connection with the

purchase of a catamaran patrol vessel•police. There was a question here on the offset. I think, Mr. Knappe, this was the County Executive's resolution. What are we doing with this offset? Because obviously the Legislators were not comfortable with what it was. I don't know if •• has it been amended or no?

MR. KNAPPE:

I wasn't in attendance, I think, at the last Budget and Finance Committee meeting. The County Executive's position is that 1755 is a viable offset. There is 90,000 available. And there is from the Executive's standpoint, it is a viable offset and it could be used for this capital project.

CHAIRMAN CRECCA:

Just so you're aware at the last two committee meetings, I think we made it very clear that Legislators were •• not on this committee at least •• were not happy with the offset and asked you to explore another one. So, I would just again send you back with that message. And I'll make a motion to table 1441, seconded by Legislator Losquadro. All those •• yeah, well, we like Ken.

MR. KNAPPE:

I like you guys, too.

CHAIRMAN CRECCA:

I'm sorry, I'm laughing at something else. All those in favor? Opposed? **1441 is tabled.**
(Vote: 6•0)

1476, adopting a local law, a Charter Law amending C4•13 to allow amendment of the Capital Budget for mandated projects. This is sponsored by the Presiding Officer. Mr. Spero, would you like to give an explanation to the fine Legislator from the Town of Babylon, Mr. Bishop.

MR. SPERO:

This would give the Legislature the discretion to increase the capital budget for a project that's mandated by the federal or state law or by an agency of the federal or state government without an offset. So, in cases where we're mandated to do a project, where it could be by court order or an agency of the state or the federal government, we could increase the capital

budget without an offset.

LEG. BISHOP:

It is only during the year?

MR. SPERO:

During the year. That's right. Amend the capital budget during the year without an offset.

CHAIRMAN CRECCA:

Is that illegal as far as •• where's the offset going to come from? If there is no offset, it would just have to be done within existing appropriations?

MR. SPERO:

You would increase the capital budget.

LEG. BISHOP:

In other words ••

CHAIRMAN CRECCA:

It would be the same as amending the budget without the offset. I got you.

LEG. BISHOP:

Is it that you would need 14 votes and this would bring it down to 12 votes? Is that the implication of it?

MR. SPERO:

No. I believe the 14•vote requirement is still required to do it. But you wouldn't need the offset.

CHAIRMAN CRECCA:

You can't do it now. Only County Executive could do it.

LEG. BISHOP:

You can't do a straight add to the capital budget now?

MR. SPERO:

No.

CHAIRMAN CRECCA:

It was the capital budget.

MR. SPERO:

Only if it's an act of God or some •• like, let's say we a hurricane and there was severe damage to county facilities, then, you could do it without the offset. But that's the only exception.

LEG. BISHOP:

When we did that purchase of land in Montauk •• what's the name of that? Two or three years ago.

MR. SPERO:

Shadmore?

LEG. BISHOP:

Shadmore. That was a straight add to the capital budget that came in in the middle of the year.

MR. SPERO:

That was because there was aid. If the project is aided 50% or more, you don't need the offset.

CHAIRMAN CRECCA:

Good memory, though.

LEG. BISHOP:

Well, I know that you can straight add to the capital budget. But you're telling me you can straight add to the capital budget.

MR. SPERO:

Not if the project doesn't have aid of at least 50%.

LEG. BISHOP:

How could a mandate come in during the year that you don't know about beforehand that you immediately have to undertake? Could you give me an example of what that would be?

MR. SPERO:

The thing that came to my mind was this jail project.

LEG. BISHOP:

This jail was not known before the year?

MR. SPERO:

Well, let's say, for instance, we adopt the capital budget. And that the planning process for the jail goes through and we need another 20 or \$30 million to complete the project. You would be able to do it without an offset.

LEG. BISHOP:

Okay.

CHAIRMAN CRECCA:

I was feeling sort of comfortable. Is there any other comments? Legislator Binder.

LEG. BINDER:

So, there's a severe limitation is what you're saying on this, I guess. Counsel, how is it defined, the limitation, as to •• under what circumstances? I want to make sure that •• I want to understand how inviolate the parameters are.

MS. KNAPP:

Well, you know you have in your charter created •• created a mechanism by which you limit yourself. And that is you say that you can't modify the capital budget during the year unless you have an offset. And there is the exception if you have 50% state or federal funding. The further exception, and it's a long list, but, you know, it's very what I would call very narrow circumstances. And even in these very narrow circumstances, you do require a 14 •• a three quarters majority in order to just simply increase the capital budget again during the year. It's a modification. And the circumstances include hurricane, fire, tornado, flood, blizzard, explosion, airplane crash, earthquake, nuclear war, radiologic emergency, civil unrest,

disobedience. Civil arrest or disobedience, act of God or comparable event. So, what this proposes to do is add that •• add to that list a mandate •• which may be comparable to ••

LEG. BINDER:

Disobedience refers to the Legislature when it comes to the County Executive. No. So, this just •• this adds to it specifically mandates just •• that adds to that list mandates from the federal or state government. Now those mon dates •• sometimes those mandates are nebulous. There's direct mandates and there are indirect mandates. Some, well, if we don't do it, we might lose on another area. But some say if you don't do this, then, we're going to cut off the fund. You need to. Under law you must do these functions. Is mandate defined enough to understand ••

MS. KNAPP:

It •• provided funding for projects mandated by state or federal law, by a court decision or by a determination of any federal or state agency having jurisdiction over the County. Again, you would need 14 ••

LEG. BINDER:

And 14 is correct. So, I guess I'm curious with the Budget Office, I know there was some vociferous objection as to wow, you know, this will allow the Legislature to go off on a spending spree and go nuts and spend money. That was the last conversation on this. You just kind of go off and spend. All this really is an addition to current opportunities, or more than opportunities, but current need, let's say, they said God forbid nuclear war or something, and we can spend the money even if we don't have it. What would be the intent of the County Executive in the event there was a mandate and we don't have the money to fill it. And New York State or the federal government mandates us to do a particular capital project. We don't have an offset available. How would the County Executive propose that we deal with that short of this? How does he propose that we do that so I understand what his alternative is.

MR. KNAPPE:

Without the ability of projecting on what that mandate would be, I cannot speak specifically on a hypothetical situation in that regard. We would have to weigh, you know, whatever the means is or whatever the process is at that point. So, to give you a definite answer, I wouldn't be able to do that.

CHAIRMAN CRECCA:

Motion to table by Legislator Bishop, seconded by myself. All those in favor? Opposed? **1476 is tabled. (Vote: 6•0)**

IR 1550, amending the 2004 Operating Budget to transfer funds from the Suffolk County Water Protection Fund (477) Reserve Fund to the Cornell Cooperative Extension of Suffolk County for the "Restoration of Peconic Bay Scallop Populations and Fisheries." There's a motion to table by Legislator Binder, seconded by Legislator Bishop. All those in favor? Opposed?

LEG. LOSQUADRO:

Opposed.

LEG. LINDSAY:

Opposed.

CHAIRMAN CRECCA:

List Legislator Losquadro as opposed. And Legislator Lindsay.

What I did say, folks, I did have •• I met with Tom Williams a earlier today. Tom asked the opportunity to come back and have some additional testimony regarding the same. I will afford him that at the next meeting. So, you can have whoever you want here, Tom. In the mean, Jim, can you •• and I'd ask the Legislators to pay attention, can you tell us what is currently spent out of 477 and what we expect to be expended appropriations say by the end of the year? And what type of money we expect to have at the end of the year? Give me some facts and figures.

MR. SPERO:

Total obligated funding is \$15.1 million. Available funding through the end of 2004 is estimated to be about 8.7 million.

MR. KNAPPE:

If I could, Legislator Crecca, if I could go through it and then have Mr. Spero correct me because it's my work sheet, and I might be a little bit more familiar with it than he, as I mentioned at a previous meeting, year ending 2003 from the inception of the program until 2003 we have spent approximately 6.3 million. In 2004 we have projected an additional eight

million based on what has already been adopted in the '04 Operating Budget as well as resolutions that have been passed and signed by the Legislature and the County Executive.

CHAIRMAN CRECCA:

Is that 14 million and change total?

MR. KNAPPE:

It's 15 million it turns out to be.

CHAIRMAN CRECCA:

How much do we have?

MR. KNAPPE:

At the end of the year, sales tax is coming in higher than what we originally budgeted; however, I did not make any changes for that. So, conservatively speaking we have about 8.7 million available.

CHAIRMAN CRECCA:

So total the program's collected again roughly ••

MR. KNAPPE:

About 24.8 million.

CHAIRMAN CRECCA:

Okay. So there's 8.7 million expended. How much is coming in annually, let's just say, I know it depends on the sales tax, but ••

MR. KNAPPE:

The water quality portion itself ••

CHAIRMAN CRECCA:

Yes.

MR. KNAPPE:

•• has been increasing each year. It started in 2001 at about 5.3 million to 5.8 to 6.3. And we are projecting '04 higher than 6.9.

CHAIRMAN CRECCA:

Okay. Is that a memorandum or are those just notes?

MR. KNAPPE:

These are just my budget notes. I shared them with Budget Review so they have them.

CHAIRMAN CRECCA:

If we could get by the next meeting just a joint memorandum, you know, or •• I shouldn't say a joint memorandum, even from Budget Review would be fine •• with Ken's numbers so we have the numbers in front of us for the next meeting, I would really appreciate that, Jim. And maybe do some projection into next year. And you could address that to members of the Budget and Finance Committee so we have those facts. And, Tom, we look forward to any input you may have. Did you want to say anything today? Let the record reflect Tom Williams from Cornell Cooperative Extension.

MR. WILLIAMS:

Thanks, Andrew. Yeah, as I said, we're very excited about this project. We think it's a great thing. So, the opportunity to bring in some other experts and talk a little bit about its effect, about the beauty of the scallop, helping to filter the water and clear the water, absorb nitrogens so it affects nonpoint source solution. We will do that. Let me ask you when the next meeting is? I wasn't clear.

CHAIRMAN CRECCA:

Yeah. It's two weeks from today.

MR. WILLIAMS:

Two weeks. So, that's the 19th, I think; is that right?

CHAIRMAN CRECCA:

Yes.

MR. WILLIAMS:

Okay. Is that •• we may have a problem with some staff being away and vacationing.

CHAIRMAN CRECCA:

Do the best you can.

LEG. BISHOP:

What would you proposed?

MR. WILLIAMS:

When would be the following meeting that we can come to?

CHAIRMAN CRECCA:

It won't be until the middle of September.

MR. WILLIAMS:

The middle of September.

CHAIRMAN CRECCA:

We certainly can schedule for then.

MR. WILLIAMS:

Maybe that would be better.

CHAIRMAN CRECCA:

September 23rd is the next meeting.

MR. KNAPPE:

My only reservation about •• this has been tabled. As we go forward in the '04 year, the ability of Cornell to spend down these funds in 2004 before they lapse over into our fund balancing, get carried over into '05 is exaggerated as we get closer to the end of the year, so I just want to put that on the record.

MR. WILLIAMS:

Well, I just want to be able to bring people. I understand that.

CHAIRMAN CRECCA:

Tom, you can let me know before the next meeting. You don't have to decide right this minute.

MR. WILLIAMS:

I will let you know. I'll call you. Thank you very, very much. I appreciate it.

CHAIRMAN CRECCA:

No problem. Always a pleasure to have you up. And I just want you to know we've been heavily lobbied by the Sea Scallops Society, so.

1553, amending the 2004 Operating Budget to transfer funds from the Suffolk County Water Protection Fund (477) Reserve Fund to the Suffolk County Department of Parks for "Timber Point Golf Course Maintenance Building." Was this already appropriated in the budget? So, I want to make a motion to table subject to call.

LEG. BISHOP:

Second.

CHAIRMAN CRECCA:

Seconded by Legislator Bishop. All those in favor? Opposed? **1553 is tabled subject to call. (Vote: 6•0)**

1555, amending the Adopted 2004 Operating Budget to reduce funding for the Health Clinics. Legislator Binder wants to make a motion to approve. But I'll override him and make a motion to table. I'm kidding, Allan. Seconded by Legislator Binder. All those in favor? Opposed? **1555 is tabled. (Vote: 6•0)**

Introductory Resolution 1647, a bill to readjust, compromise and grant refunds and chargebacks on correction or errors by the County Treasurer. Not that he made the error. He's just fixing them. Motion by Legislator Losquadro, seconded by Legislator Nowick. Have you had an opportunity to review this, Mr. Spero?

MR. SPERO:

These are prepared by the County Treasurer. We don't •• typically we don't review them. These are for the certiori claims that are made.

CHAIRMAN CRECCA:

There's a motion to approve and a second. All those in favor? Opposed? **1647 is approved. (Vote: 6•0)**

Sense resolution. Sense 060, authored by none other than Legislator Binder, a resolution in opposition to the enactment of an additional Real Estate Transfer Tax by New York State. I will co•sponsor that resolution with Legislator Binder. There's a motion to approve by Legislator Binder, seconded by myself. All those in favors? Opposed?

CHAIRMAN CRECCA:

Legislator Bishop is very excited about the bill, too, now. All those in favor? Opposed? **Sense 60 is approved. (Vote: 5•0•1•0. Legislator Losquadro abstains. See page 21)**

We have two Home Rule Messages. The first one is **Home Rule 3, which is requesting the State of New York to amend the Suffolk County Tax Act.** Can we get an explanation on this for Legislator Nowick. Counsel?

It's just a bill.

MS. KNAPP:

Yes. This bill •• and I'm sorry I can't remember who sponsored it in the state •• this legislation would conform the penalties that are •• right now it's onerous. If you miss •• if you miss, I believe, the second •• if you pay after June, let's say, the penalty •• yes, right. It's simply makes it uniform. I believe it's penalty. It's the interest? It's both. Let me see if I can find the bill.

LEG. NOWICK:

I believe if you miss the May 31st deadline, you're paying from January •• you're paying the percentage of each month. Unless, of course, you pre•paid some of it. However, when it gets to the County Treasurer, you got a penalty involved and another •• it comes to about 11%. So, how does this change it?

CHAIRMAN CRECCA:

It basically calls on the state.

MS. KNAPP:

It changes it so that the interest simply continues to run, I believe, without the extra boost.

LEG. NOWICK:

Without the penalty. Without the 5%? Is that what we're ••

MS. KNAPP:

Yes.

LEG. BINDER:

Does it change the calculation back to the second half rather than to the first half?

MS. KNAPP:

I'm sorry, what was that question?

LEG. BINDER:

The calculation of the interest •• right now the interest, if you miss let's say by one month the second half payment, you not only have to pay interest on the second half but I think it runs right back to the beginning of the first half.

MS. KNAPP:

Yes, yes.

LEG. BINDER:

Your interest goes the whole way. Does this conform it to say that you only pay interest running from the beginning of that second half and the penalty? In other words, it says •• it breaks it up into two halves. New York State doesn't recognize in a sense the two halves as we do with the interest and the penalties. Would this •• maybe that's why it's complicated. Does it go back to ••

MS. KNAPP:

I will tell you it is complicated. But my understanding of it, and, you know, its reading, is that it eliminates that double penalty.

LEG. NOWICK:

I think I understand what it is. If I'm reading this correctly, it's got nothing to do with the interest charges. It's the penalties that the County is collecting. That's the difference. The interest •• it sounds to me it doesn't •• it doesn't address interest. Doesn't it say just penalties?

LEG. BINDER:

I want to be listed as a co•sponsor. I just want to put that on the record.

CHAIRMAN CRECCA:

There's a motion and a second on Home Rule Message number 3. All those in favor? Opposed? I'm sorry. There is no motion, is there? Legislator Binder makes the motion, seconded by myself. All those in favor? Opposed? **Home Rule Message 3 is approved. (Vote: 6•0)**

I'm sure that we will see quick action by the State on this.

LEG. LOSQUADRO:

If I could ask, Madam Clerk, if you could please change my vote on Sense 60 to an abstention.

CHAIRMAN CRECCA:

Actually you said it to me, and I just didn't hear it.

LEG. LOSQUADRO:

I apologize.

CHAIRMAN CRECCA:

I lost my agenda. Here we go. **Home Rule number 7, is requesting New York State Legislature to extend the one•quarter cent Sales Tax Program to allow Suffolk County to continue to collect an additional sales tax until December 31, 2025.** I don't know what the purpose of this resolution is. Counsel, can you clarify this bill? It expires in 2013.

MS. KNAPP:

Yes. And this would support the extension from 2013 to 2025.

CHAIRMAN CRECCA:

I think Legislator Bishop chimed in first.

LEG. BISHOP:

This is the best way to fund the Land Preservation Programs that we currently want to engage

in, which is to extend the quarter cent program for an additional 12 years and then recognize the money now. In other words, borrow against the future revenue stream in those years 2012 to 2025. In order to do that, you need special state legislation. The state has provided such legislation for other entities such as the east end towns that enable them to do this maneuver. And we would like to do it here in the County, but it would take, you know, next year in order for this to happen. But this would be a first step. I assume that this has the language in it that would allow us to borrow presently against the future revenue stream; is that correct, counsel?

MS. KNAPP:

I'm not certain from what I have before me.

LEG. BISHOP:

I would make a motion to table.

CHAIRMAN CRECCA:

Second by myself. All those in favor. Opposed?

LEG. BISHOP:

He's on the right track.

CHAIRMAN CRECCA:

Home Rule Message •• I'll make it officially part of the motion that Legislator Caracciolo's on the right track. You know, I never thought those words would come out of my mouth, but they just did. All those in favor of tabling Home Rule Message 7? Opposed? **Home Rule Message 7 is tabled. (Vote: 6•0)**

There being no other business before this committee, this meeting is adjourned.

(THE MEETING WAS CONCLUDED AT 1:58 PM)